

FORTY-THIRD DAY.

SENATE CHAMBER. }
AUSTIN, TEXAS, March 4, 1885. }

The Senate met pursuant to adjournment.
Lieutenant-Governor Gibbs in the chair.
Roll called.
Quorum present.
Prayer by Rabbi Silverman, of Dallas.
On motion of Senator Shannon,
The reading of the journal of yesterday was dispensed with.
On motion of Senator Shannon,
Senator Evans was excused for the week.

PETITIONS AND MEMORIALS.

By Senator Davis:
Memorial of the citizens of Denison, Texas, urging the passage of the Armistead telegraph bill.
Referred to Committee on Internal Improvements.

REPORTS OF STANDING COMMITTEES.

By Senator Davis:

COMMITTEE ROOM,
AUSTIN, March 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 126, entitled "An act to amend article 358 of chapter 3, title 11 of the Penal Code of the State of Texas," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

The bill seeks to make it a felony for any one to keep or exhibit any gaming table or bank, Jenny Lind, or pigeon hole table, or ten pin alley.

All of which is respectfully submitted.

DAVIS, Chairman.

Bill read first time.

Senator Stinson gave notice of intention of filing a minority report on the bill.

COMMITTEE ROOM,
AUSTIN, March 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred House bill No. 252, entitled "An act to amend article 636, chapter 3, title 8, of section 2 of an act entitled 'an act to adopt and establish a Penal Code and Code of Criminal Procedure for the State of Texas,'" have had the same under consideration, and instruct me to report it back with the recommendation that it do not pass.

The bill seeks to make some changes in the jury law in reference to challenges for cause in criminal cases.

All of which is respectfully submitted.

DAVIS, Chairman.

Bill read first time.

Senator Bell gave notice of intention of filing a minority report on the bill.

By Senator Getzendaner:

COMMITTEE ROOM,
AUSTIN, March 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Claims and Accounts, to whom was referred Senate bill No. 240, entitled "An act for the relief of clerks and sheriffs who may have performed services under the provisions of 'an act providing for the condemnation and sale of lands for delinquent taxes,' approved June 2, 1873, by providing a mode for auditing their accounts, and making an

appropriation for the payment of the same," have had the same under consideration, and instruct me to report it back with the recommendation that it do not pass.

All of which is respectfully submitted.

GETZENDANER, Chairman.

Bill read first time.

BILLS AND RESOLUTIONS.

By Senator Perry:

"An act to amend articles 1006, 1007 and 1008 of 'an act to amend articles 1006, 1007 and 1008 of the Revised Civil Statutes of the State of Texas,' approved February 21, 1879, passed by the regular session of the Eighteenth Legislature, approved April 9, 1883."

Referred to Committee on State Affairs.

By Senator Hall:

"An act to amend article 2219 of the Revised Civil Statutes."

Referred to Judiciary Committee No. 1.

Senator Terrell entered a motion to reconsider the vote by which the Senate refused to sustain the decision of the chair on yesterday.

Senator Woods moved to postpone the regular and special orders, and to take up Senate bill No. 64, "An act to provide for the management and control of the lands set aside for the benefit of the University of Texas."

Adopted by the following vote:

YEAS—18.

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|-------------------|----------|----------|
| Bell, | Jerdone, | Pope, |
| Fowler, | Jones, | Shannon, |
| Getzendaner, | Kilgore, | Stinson, |
| Glasscock, | Kleberg, | Terrell, |
| Harrison, | Knittel, | Traylor, |
| Houston of Bexar, | Perry, | Woods. |

NAYS—5.

| | | |
|--------|-----------|-----------|
| Camp, | Garrison, | Pfeuffer. |
| Davis, | Hall, | |

ABSENT, NOT VOTING.

Houston of Wheeler, Peacock, Randolph.

The bill was taken up and read second time, with committee amendment.

The committee amendment was adopted by the following vote:

YEAS—15.

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|-------------------|----------|----------|
| Bell, | Jerdone, | Perry, |
| Fowler, | Jones, | Pope, |
| Glasscock, | Kilgore, | Terrell, |
| Harrison, | Kleberg, | Traylor, |
| Houston of Bexar, | Knittel, | Woods. |

NAYS—9.

| | | |
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| Camp, | Getzendaner, | Randolph, |
| Davis, | Hall, | Shannon, |
| Garrison, | Pfeuffer, | Stinson. |

ABSENT, NOT VOTING.

Houston of Wheeler, Peacock.

Senator Getzendaner offered to amend by striking out all in line 6 after the word "board," and all in line 7, to and including the word "years," and insert in lieu thereof, as follows:

To sell and lease the said lands under such terms and conditions as are now or may hereafter be prescribed for selling and leasing the common school and asylum lands of the State.

(Senator Houston of Bexar in the chair.)

Senator Shannon, President pro tem., gave notice from the President's stand, of signing the following bills and resolutions:

House concurrent resolution requesting Texas Senators and Representatives in Congress to secure a survey and report of the condition of the channel through West Galveston bay and San Louis bay, forty miles westward from Galveston, to the canal connecting said bays with the Brazos river near its mouth.

Substitute House bill No. 27, "An act to authorize the transfer of occupation licenses."

House bill No. 136, "An act to amend chapter 79 of the acts of 1883, entitled 'an act to amend section 46 of an act to encourage stockraising and to protect stockraisers,' approved April 22, 1879, and amended April 4, 1881, and April 12, 1883."

House bill No. 335, "An act to create and to provide for the organization of the county of Midland."

House bill No. 232, "An act to authorize county commissioners' courts to assume control of the streets and alleys of any city or incorporated town within their jurisdiction in which there is no defacto municipal government, and to have the same worked as public roads."

Senate bill No. 173, "An act to repeal article 4112 of the Revised Civil Statutes of the State of Texas."

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to inform your honorable body of the passage of the following bills by the House:

House bill No. 118, "An act to amend chapter 6 of title 29 of the Revised Civil Statutes of Texas, by adding thereto, after article 1241, another article to be called article 1241a."

House bill No. 314, "An act relating to the investment of the permanent public free school funds, and to provide against any loss of such funds in making investments thereof."

House bill No. 331, "An act to establish and define the boundaries of the county of Webb, and legalize certain acts of the officers of said county."

House bill No. 458, "An act to amend sections 14 and 15 of the city charter of Houston, of an act entitled 'an act to amend section 15 of an act incorporating the city of Houston, in Harris county, approved April 21, 1879,' and section 14 of said act as amended by an act of the Legislature of the State of Texas, approved March 13, 1883, and substituting therefor the following."

A. D. SADLER,
Chief Clerk House of Representatives.

House bill No. 118 was referred to Judiciary Committee No. 1.

House bill No. 314 was referred to Committee on Finance.

House bill No. 331 was referred to Committee on Counties and County Boundaries.

House bill No. 458 was referred to Committee on State Affairs.

Senator Stinson sent up the following minority report on substitute House bill No. 126, for Judiciary Committee No. 2:

COMMITTEE ROOM,
AUSTIN, March 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

We, a minority of Judiciary Committee No. 2, to whom was referred substitute House bill No. 126, beg leave to submit the following minority report, and ask that the same be adopted in lieu of the majority report:

We believe the passage of this bill will effectually suppress the pernicious and growing evil of gaming throughout the entire State. We believe no man can afford to take the risk of

obtaining a term in the penitentiary by running a banking game or gaming table, and therefore recommend that this bill do pass.

All of which is respectfully submitted.

STINSON,
EVANS,
RANDOLPH.

Pending discussion on the amendment of Senator Getzendaner,

Senator Pope, by leave, sent to the Secretary's desk the following telegram, and had it read in full, to-wit:

WASHINGTON, D. C., March 4, 1885.

To N. A. Cravens, House of Representatives, Austin, Texas:

Cleveland just taken the oath of office. Congratulations to the Democracy of Texas and Nineteenth Legislature.

TEXAS DELEGATION.

In honor of the distinguished event,

On motion of Senator Shannon,

The Senate adjourned till 10 o'clock to-morrow morning.

FORTY-FOURTH DAY.

SENATE CHAMBER,
AUSTIN, March 5, 1885. }

The Senate met pursuant to adjournment.

Senator Shannon, President pro tem., in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Kleberg,

The reading of the journal of yesterday was dispensed with.

On motion of Senator Harrison,

Senator Houston of Wheeler was excused for yesterday.

PETITIONS AND MEMORIALS.

By Senator Perry:

Application to Legislature to transfer Brazos county to Galveston branch of Appellate Court.

Referred to Committee on State Affairs.

By Senator Davis:

Memorial of sundry citizens of Cooke county, urging a change in the present road law.

Referred to Committee on Roads and Bridges.

REPORTS OF STANDING COMMITTEES.

By Senator Getzendaner:

COMMITTEE ROOM,
AUSTIN, March 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Claims and Accounts, to whom was referred Senate bill No. 186, entitled "An act for the relief of Gideon Purl, and to reimburse him for money expended by him in arresting Jeff Ake, a refugee from justice from the State of Texas, and conveying him from Ozark, in the State of Arkansas, to Georgetown, Texas, under a requisition from the Governor of the State of Texas," have had the same under consideration, and a majority of your committee instruct me to report it back with the recommendation that it do pass, with the following amendments:

Strike out the word "three" in line 3, section 1, and insert "one" in lieu thereof.

Strike out all of line 4 in said section 1, and the words "thirty cents" in line 5 of said section.